

Right To Dry: Should The State or Community Associations Themselves Decide What's Blowing in the Wind?

Seeking to be better stewards of the environment is a cause that makes sense. Whether out of concern of climate change or simply a matter of efficiency, most residents of the Nutmeg State's community associations want to do the right thing when it comes to adopting more sustainable policies in their neighborhoods. In fact, as private agreements among homeowners, community associations are well positioned to implement the environmental ethos of "Think Globally, Act Locally."

However, **CAI opposes** the specific, "Right to Dry" legislation – **H.B. 5596**. We feel that its narrow scope, its lack of respect for neighborhood governance, resident preferences and judgment are antithetical to building a sustainable approach to neighborhood level environmental initiatives.

Community associations are private agreements among neighbors. They have arisen to address the desire by homebuyers for amenities and rules to enhance their ownership experience and to protect their investment. These rules are designed to provide an understanding of a resident's rights and responsibilities. The strength of the community association model is that these rules are not set in stone. In fact, when it comes to most atheistic issues, like clotheslines, the rules can be changed through a majority vote of the association residents.

The question before this committee, as it relates to community associations is, do we want to respect the democratic process in these communities? Do we want to create a legislative short cut around the task of building consensus and living up to one's personal responsibility to neighbors on clotheslines or any other environmental issue?

CAI believes that the key to sustainable approaches to environmental issues can be best achieved by working through the community governance process, educating residents and building consensus. On the issue of the "Right to Dry," there is no evidence before us that the neighborhood democratic process is not working.

When it comes to decisions related to neighborhood level environmental initiatives, residents of community associations have a clear preference. According to a November 2007 Zogby Survey:

- 8 out of 10 association residents indicated that they did not support further government intervention into their community association.
- Less than 2 out of 10 association residents indicated that they supported state government overriding decisions
- 66% of association residents believe that their elected association board should set their associations environmental priorities versus only 5% supporting state government intervention.

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While the environment poses a challenge of singular importance, there are literally thousands of actions a homeowner or and association can do to become better environmental stewards. In fact, the Community Associations Institute is launching a nationwide Green Communities campaign this year. The Green Communities program is designed to provide communities with a menu of options, best practices and model rules on issues from clotheslines, to solar panels and water use. We've invited the advocates of project laundry list and other environmental groups to participate. Through this process, we strive to build a consensus-based approach where communities are empowered to choose the best actions for the values of preferences of their residents. We also want to provide information to homeowners to empower them as they work for positive change through the association's democratic process. In end working within their neighborhood's democracy, residents can build a consensus for change and that consensus translates into sustainable solutions.

In the final analysis, Connecticut once again finds itself on the cutting edge of environmental policy. CAI urges this panel not to hang the contractual rights of Connecticut residents out to dry by supporting unneeded, narrow legislation that overrides association governance. Rather we invited you to join us in building partnerships and empowering citizens to work through their communities and to take positive action on a variety of levels to improve the environment for all Connecticut residents.